

its service upon the defendant or defendants, and must contain a notice stating in substance that if the defendant or defendants fail to answer the complaint, or petition, within the time specified, plaintiff will apply to the court for the relief demanded in the complaint, or petition. The summons must run in the name of the State, be signed by the Clerk of the Superior Court having jurisdiction in the special proceeding, and be directed to the Sheriff or other proper officers of the county, or counties, in which the defendant, or defendants, or any of them reside or may be found, and must be returnable before the Clerk. The Clerk shall indicate on the summons by appropriate words that the summons is issued in a special proceeding and not in a civil action. The manner of service, whether by the Sheriff or by publication, shall be as is prescribed for summons in civil actions by Section four hundred and seventy-six of the Consolidated Statutes of one thousand nine hundred nineteen: *Provided, however, that in special proceedings before the Clerk, the plaintiff or petitioner shall not be required to serve a copy of the petition or complaint upon each of the defendants, as required in civil actions, but in lieu thereof such petitioner or petitioners may deliver to the Clerk at the time of the issuance of the summons copies (not to exceed three) of the petition or complaint for the use of the defendants*".

Form and contents.

Service of summons.

SEC. 3. That this Act shall not affect pending litigation.

Pending litigation unaffected.

SEC. 4. That all laws and clauses of laws in conflict herewith are hereby repealed.

Conflicting laws repealed.

SEC. 5. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 23rd day of February, 1939.

## H. B. 89

## CHAPTER 50

AN ACT TO AMEND SECTION FIVE THOUSAND AND FORTY-FOUR OF VOLUME TWO (ONE THOUSAND NINE HUNDRED NINETEEN) OF THE CONSOLIDATED STATUTES RELATIVE TO COURT COSTS IN JUVENILE COURTS.

*The General Assembly of North Carolina do enact:*

SECTION 1. That Section five thousand and forty-four of Volume Two (one thousand nine hundred nineteen) of the Consolidated Statutes be amended by striking out in line fourteen, the comma following the word "expenses" and the following: "when approved by the Judge of the Superior Court,".

C. S., Vol. II, 1919, sec. 5044, amended, to dispense with approval of certain costs in juvenile cases, by judge.